

All rejected claims stand rejected under 35 U.S.C. § 103(a), as unpatentable over Epstein (U.S. Patent No. 5,127,019) in view of Hackel (U.S. Patent No. 6,198,069).


With this response Applicant forwards a declaration by one of the co-inventor's, Dr. Jeffrey L. Dulaney pursuant to 37 C.F.R. § 1.131.

Pursuant to the declaration and copy of an April 24, 1998 letter addressed to the undersigned, Applicant respectfully submits that the Hackel patent 6,198,069 having a filing date of August 13, 1998 is not an appropriate or proper reference against the present application.

Therefore, since the Hackel reference is not an appropriate reference, the Examiner's *prima facie* combination of Epstein in view of Hackel is therefore also inappropriate and should be withdrawn. Applicant respectfully submits that the rejection should be withdrawn. Further, Applicant respectfully submits that all objected claims are dependent upon the rejected claims and are allowable for the same reasons. Applicant respectfully request that a Notice of Allowability be forwarded to the undersigned.

If the Examiner has any questions or comments that would speed prosecution of this case, the Examiner is invited to call the undersigned at 219/485-6001.

Respectfully submitted,

  
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Randall J. Knuth  
Registration No. 34,644

RJK/jrw

Encs: Declaration of Dr. Jeffrey  
Dulaney Pursuant to 37  
C.F.R. § 1.131  
Petition for Extension  
of Time  
Check No. 5501 (\$195)  
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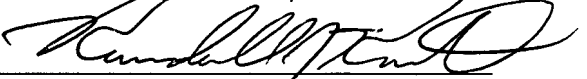
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CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Hon. Commissioner of Patents and Trademarks, Washington, D.C. 20231, on: September 12, 2001.

Randall J. Knuth, Regis. No. 34,644

Name of Registered Representative

  
\_\_\_\_\_  
Signature

September 12, 2001

Date